

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

STRIKE 3 HOLDINGS, LLC,)	
)	
Plaintiff,)	Civil Case No. 1:18-cv-00744-LO-TCB
)	
v.)	<u>DECLARATION OF GREG LANSKY</u>
)	<u>IN SUPPORT OF PLAINTIFF'S</u>
JOHN DOE subscriber assigned IP address)	<u>MOTION FOR LEAVE TO SERVE A</u>
96.255.107.54,)	<u>THIRD PARTY SUBPOENA PRIOR TO</u>
)	<u>A RULE 26(f) CONFERENCE</u>
Defendant.)	
)	

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**DECLARATION OF GREG LANSKY IN SUPPORT OF PLAINTIFF'S MOTION
FOR LEAVE TO SERVE A THIRD-PARTY SUBPOENA PRIOR TO
A RULE 26(F) CONFERENCE**

I, Greg Lansky, do hereby state and declare as follows:

1. I am a member of General Media Systems, LLC, the parent company that owns Strike 3 Holdings, LLC ("Strike 3"). I am the Chief Creative Officer of the *Blacked*, *Blacked Raw*, *Tushy*, and *Vixen* adult brands.
2. I have personal knowledge of all of the matters contained in this declaration and, if called and sworn as a witness, I can and competently will testify to all matters contained herein. This declaration is made in support of Plaintiff's Motion for Leave to Serve a Third-Party Subpoena Prior to a Rule 26(f) Conference.
3. Strike 3 owns the intellectual property to the *Blacked*, *Blacked Raw*, *Tushy*, and *Vixen* adult brands, including the copyrights to each of the motion pictures distributed through *Blacked*, *Blacked Raw*, *Tushy* and *Vixen* and the trademarks to each of the brand names and logos. Strike 3 is owned entirely by our company General Media Systems, LLC and has existed since 2015.
4. I moved to the United States in 2006 from Paris, France to pursue my dream of creating art in an adult context. I have always been passionate about photography and cinematography.
5. It was a difficult start - I could barely speak English, and I had trouble making connections and finding employment. I struggled for several years to make a name for myself as a reliable photographer and director.
6. Eventually, after tremendous hard work, I was fortunate to be hired by some of the biggest adult brands in the world. Through these experiences, I was able to establish myself and become an expert in the field.
7. In 2013, I decided to risk everything to create my own company and studio. As a director, I felt the industry and I were not offering the best quality and experience possible. I felt I was not offering truly inspiring projects for performers to express their art.

8. At the time, the adult market was demoralized and it appeared that a high-quality, well produced, subscription based website would never succeed.

9. I can still remember when our company was just three people in my small home office.

10. We kept growing and after a few years, our brands turned into a multi-million dollar a year business. We now have 20 million unique visitors to our websites per month and a loyal following.

11. Our company's philosophies are important.

12. We always strive to pay artists and models an amount above that being paid by other companies. Indeed, we are known for paying our performers the highest rates ever recorded. Empowering the artists and especially the women we work with is at the core of our company.

13. We focus on delivering to our subscribers and fans superior quality adult films and a wonderful customer experience. People thought we were crazy to think that people wanted to pay for expensive quality adult films and we were told that we were destined to fail. Now, we have a substantial and loyal customer base.

14. We provide jobs for nearly 75 people worldwide. We provide good benefits including health care coverage and have an extremely positive company culture. Our recent new employees include production managers, video editors, marketing specialists, accountants, and HR representatives.

15. Our movies are known for having the highest production budget of any in the industry. We invest in and utilize state of the art cinematic equipment. We film using Hollywood industry standards. And, as our subscriber base grows, we always seek to find ways to invest in value for our customers.

16. Because of this, we have a subscriber base that is one of the largest of any adult sites in the world.

17. We are also currently the number one seller of adult DVDs in the United States.

18. Our content is licensed throughout the world, including by most major cable networks.

19. Our success has not gone unnoticed. Indeed, we are very proud to state that our unique cinematic films have won many awards. It's humbling. Some of them include:

- Best New Studio (XBIZ, 2017)
- Studio of the Year (XBIZ, 2018)
- Best Cinematography (AVN, 2016)
- Director of the Year (AVN, 2016-2017; XBIZ, 2017-2018)
- Best Director – (XRCO, 2016-2017)
- Best Membership Website (AVN, 2016-2017)
- Adult Site of the Year – (XBIZ, 2015-2017)
- Best marketing campaign – company image (AVN, 2016-2017)
- Marketing Campaign of the Year (XBIZ, 2018)
- Greg Lansky - Lifetime Achievement Award (Nightmoves)
- Vignette Series of the Year (XBIZ, 2018)

20. We also are routinely featured in the mainstream media. Recently, *Forbes*,¹ *The Daily Beast*,² and *CBC Radio*³ have all done substantial profiles on us. We are also currently working on a project with BuzzFeed.

21. We are proud of our impact on the industry. We have raised the bar in the industry - leading more adult studios to invest in better content, higher pay for performers, and to treat each performer like an artist. That is a testament to the entire team, the company we have built and the movies we create.

¹ "How One Pornographer is Trying to Elevate Porn to Art," *Forbes* July 20, 2017 <https://www.forbes.com/sites/susannahbreslin/2017/07/20/pornographer-greg-lansky-interview/#2301d3ae6593>

² "Meet the Man Making Porn Great Again," *The Daily Beast*, February 18, 2017 <http://www.thedailybeast.com/meet-the-man-making-porn-great-again>

³ "Porn-o-nomics: How one director is making a fortune by defying conventional wisdom," *CBC Radio*, February 24, 2017 <http://www.cbc.ca/radio/day6/episode-326-sanctuary-cities-la-la-land-vs-jazz-hollywood-in-china-porn-o-nomics-and-more-1.3994160/porn-o-nomics-how-one-director-is-making-a-fortune-by-defying-conventional-wisdom-1.3994167>

22. Unfortunately, piracy is a major threat to our company. We can compete in the industry, but we cannot compete when our content is stolen.

23. We have discovered that when we put videos online for paid members to view, it takes as little as four minutes to be downloaded on to torrent websites. We have attempted to identify the initial seeder but have found it impossible with the large volume of our subscriber base.

24. We put a tremendous amount of time, effort and creative energy into producing and distributing valuable content for our paid customers. It crushes us to see it being made available to anyone for free in just minutes.

25. We are undeniably the most pirated adult content in the world. Our movies are typically among the most pirated television shows and movies on major torrent websites.

26. We send on average 50,000 Digital Millennium Copyright Act notices a month but it does virtually nothing to stop the rampant copyright infringement.

27. The only effective way to stop the piracy of our movies on BitTorrent networks is to file lawsuits like this one.

28. We are mindful of the nature of the litigation, and our goal is not to embarrass anyone, or force anyone to settle unwillingly, especially anyone that is innocent. We are proud of the films we make. We do not want anyone to be humiliated by them.

29. Because of this, my company and our legal team strive to only file strong cases against extreme infringers. Each lawsuit seeks to stop only those infringers who engage in not only illegal downloading, but also in large scale unauthorized distribution of our content. All defendants pursued in Strike 3 litigation have distributed, at a minimum, at least 15% of Strike 3's entire copyrighted library.

30. We also do not seek settlements unless initiated by the defendant or his counsel. We do not send demand letters nor make any attempt to contact a defendant prior to service.

31. We are careful not to proceed with a case against a defendant unless we feel we have a strong case and a good faith basis for doing so. We will not pursue defendants that

provide substantiated exculpatory evidence. Nor will we pursue defendants that have proven hardships. Our clear objective is to be mindful and reasonable with each case.

32. We are a respected entertainment company that makes nearly all of its revenue from sales of subscriptions, DVDs, and licenses. This litigation is not a business model. Our goal is to deter piracy and redirect the infringement back into legitimate sales. Proceeds we receive from settlements go back into making our company whole, including investing in better pay for artists and performers, better quality productions, and creating jobs.

33. We believe a consumer's choice of what content to enjoy, whether it be adult entertainment or otherwise, is a personal one to that consumer and therefore it is our policy to keep confidential the identity of not only our subscribers, but even those we are pursuing for copyright infringement. We typically only reveal a defendant's identity if the defendant does not request confidentiality or if the Court in a particular action does not allow us to proceed with the defendant remaining anonymous.

34. Our copyrights are the foundation of our livelihood. Our copyrights enable us to open our office doors each day, pay our employees, make a difference in our community and create motion pictures that raise the industry standard. We have to protect them.

DECLARATION

PURSUANT TO 28 U.S.C. § 1746, I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 19 day of JANUARY, 2018.

GREGORY AOUIZERATE a.k.a GREG LANSKY

A handwritten signature in blue ink, appearing to read 'Gregory Aouizerate', is written over a horizontal line. The signature is stylized with loops and a long horizontal stroke extending to the right.